

United States District Court

DISTRICT OF NEVADA

<input checked="" type="checkbox"/> FILED <input type="checkbox"/> ENTERED	<input type="checkbox"/> RECEIVED <input type="checkbox"/> SERVED ON COUNSEL/PARTIES OF RECORD
APR 30 2010	
CLERK US DISTRICT COURT DISTRICT OF NEVADA	
BY: _____	DEPUTY _____

DE/ASK P. HAN

Plaintiff/Petitioner,

v.

THE STATE OF NEVADA

Defendant/Respondent,

APPLICATION TO PROCEED IN FORMA PAUPERIS

CASE NUMBER: 3:10-cv-00271

I, _____, declare that I am the (check the appropriate box)

☐ Plaintiff
(filing 42 U.S.C. § 1983)

☐ Movant
(filing 28 U.S.C. § 2255 motion)

☒ Petitioner
(writ of habeas corpus
28 U.S.C. §§ 2254 or 2241)

☐ Other

☐ Defendant/Respondent

in this case. I am unable to prepay the fees of this proceeding or give security because of my poverty. I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees incurred by me as a result of being granted leave to proceed *in forma pauperis*.

In further support of this application, I answer the following questions:

1. Are you presently employed? ☐ Yes ☒ No
 - a. If the answer is "yes," state the amount of your salary or wages per month, and give the name and address of your employer. (List gross and net salary.)
 - b. If the answer is "no," state the date of last employment and the amount of the salary or wages per month which you received.
2. Have you received within the past twelve months any money from any of the following sources?

ADDITIONAL COURT NOTED
 THE PLAINTIFF ALREADY SUBMITTED 5 OR MORE
 \$2,000 HUNDRED THOUSANDS BILL IN CASH TO THIS COURT
 AND EVIDENCE TO PROVE THIS

- a. Business, profession or other form of self-employment? ☐ Yes ☒ No
 b. Rent payments, interest or dividends? ☐ Yes ☒ No
 c. Pensions, annuities or life insurance payments? ☐ Yes ☒ No
 d. Gifts or inheritances? ☐ Yes ☒ No
 e. Any other sources? ☐ Yes ☒ No

IF THE ANSWER TO ANY OF THE ABOVE IS "YES," DESCRIBE EACH SOURCE OF MONEY AND STATE THE AMOUNT RECEIVED FROM EACH DURING THE PAST TWELVE MONTHS.

HE IS A NONPAYER OWNER OF THIS COURT AND THE COURT CHARGED

DO YOU OWN ANY CASH, OR DO YOU HAVE MONEY IN CHECKING OR SAVINGS ACCOUNTS (INCLUDE ANY FUNDS IN PRISON ACCOUNTS, AND ANY FUNDS ON DEPOSIT WITH A BANK, SAVING & LOAN, ETC., OUTSIDE THE PRISON)?

HE IS THE MUOVER AND HE NO OWN THIS COURT NONPAYER FEES

IF THE ANSWER IS "YES," STATE THE TOTAL VALUE AND LOCATION, INCLUDING EACH ACCOUNT NUMBER, OF THE ITEMS OWNED (LIST THE LOCATION OF EACH ACCOUNT, TYPE OF ACCOUNT, AND AMOUNT OR BALANCE IN THE ACCOUNT).

THIS IS THE MUOVER OWN PROPERTY HE OWN ALL THE MONEY IN HIS OWN COURT

DO YOU OWN OR HAVE ANY INTEREST IN ANY REAL ESTATE, STOCKS, BONDS, NOTES, TRUSTS, AUTOMOBILES OR OTHER VALUABLE PROPERTY (EXCLUDING ORDINARY HOUSEHOLD FURNISHINGS AND CLOTHING)?

THE MUOVER IS A NONPAYER OWNER OF THIS COURT

IF THE ANSWER IS "YES," DESCRIBE THE PROPERTY, ITS LOCATION AND STATE ITS APPROXIMATE VALUE.

HE THE OWNER, AND MUOVER OF THE STATE OF NEVADA, AND OF THIS COURT

5. LIST THE PERSONS WHO ARE DEPENDENT UPON YOU FOR SUPPORT, STATE YOUR RELATIONSHIP TO THOSE PERSONS, AND INDICATE HOW MUCH YOU CONTRIBUTE TOWARD THEIR SUPPORT EACH MONTH.

HE MUOVER OWNER OF THIS COURT NOT HIS CONTRACT, AND MATERIAL

6. DO YOU RECEIVE ANY INCOME FROM DISABILITY, SOCIAL SECURITY OR ANY OTHER PENSION?

IF THE ANSWER IS "YES," DESCRIBE THE SOURCE AND AMOUNT RECEIVED EACH MONTH.

HE MUOVER IS A NONPAYER OWNER OF THIS COURT FOR HIS EMPLOYEES JUDGES AND CLERKS HIS COURT STAFF TO PROSECUTE ALL ACTION

7. HAVE YOU PLACED ANY PROPERTY, ASSETS OR MONEY IN THE NAME OR CUSTODY OF ANYONE ELSE IN THE LAST TWO YEARS?

IF THE ANSWER IS "YES," GIVE THE DATE, DESCRIBE THE PROPERTY, ASSETS OR MONEY, GIVE THE NAME OF THE PERSON GIVEN CUSTODY OF THE ITEM AND THE REASON FOR THE TRANSFER.

COMES NOW THE MUOVER HE PRAY THAT THIS COURT RECONSIDER THE ACTION

AND GRANT TO PROCEED IN FORMA PAUPERIS IT IS HEREBY ORDERED THIS COURT SHALL FILE PROOF OF PAYMENT PAID. FILE WITH THIS COURT THE OWNER THIS COURT NOTED

ADDED IF THIS COURT DONT AGREE RETURNED

ACKNOWLEDGMENT

I, the undersigned, acknowledge that I have read the foregoing and that the information contained therein is true and correct to my own knowledge and belief.

Further, I state that I have not directly or indirectly paid or caused to be paid to any inmate, agent of an inmate, or family member of any inmate a sum of money, favors or anything else for assistance in the preparation of this document or any other document in connection with this action.

Further, I acknowledge that if any of the information included in this motion for leave to proceed *in forma pauperis* is false or misleading, I understand that sanctions may be imposed against me. Those sanctions may include, but are not limited to, the following:

- (1) dismissal of my case with prejudice;
- (2) imposition of monetary sanctions;
- (3) the Nevada Department of Prisons may bring disciplinary proceedings for a violation of MJ-48 of the Code of Penal Discipline, which can include all sanctions authorized under the Code including the loss of good time credits and punitive confinement; and
- (4) perjury charges.

Further, I hereby authorize the United States District Court, District of Nevada, or its representative, to investigate my financial status, and authorize any individual, corporation, or governmental entity to release any such information to the said Court or its representative.

Further, I acknowledge and consent that a portion of any recovery, as directed by the court, shall be paid to the clerk for reimbursement of all fees and costs incurred by me as a result of being granted leave to proceed *in forma pauperis*.

Dated this 27 day of APRIL, 2010

Delask Pittman
(Signature of Applicant)
Delask Pittman #58318

I understand that a false statement or answer to any question in this declaration will subject me to penalties of perjury. **I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE UNITED STATES OF AMERICA THAT THE FOREGOING IS TRUE AND CORRECT.** See 28 U.S.C. § 1746 and 18 U.S.C. § 1621.

Signed at (ESP) Ely State Prison
(Location)

27 APRIL 2010
(Date)

Delask Pittman
(Signature)
Delask Pittman
58318
(Inmate Prison Number)

Ely State Prison
4589 N. State Rte
490, PO, Box 1989
Ely NV 89301
ESP TEL 775-289-8800

HOSP

FINANCIAL CERTIFICATE

I request that an authorized officer of the institution in which I am confined, or other designated entity, such as Inmate Services for the Nevada Department of Prisons (NDOC), complete the below Financial Certificate.

I understand that:

RCUD IN SER 10 FEB 8

(1) if I commence a petition for writ of habeas corpus in federal court pursuant to 28 U.S.C. § 2254, the filing fee is \$5.00, and that such fee will have to be paid by me if the current account balance (line #1 below), or the average account balance (line #2 below), or the average deposits to my account (line #3), whichever is greater, is \$20.00 or more;

(2) if I commence a civil rights action in federal court pursuant to 42 U.S.C. § 1983, the filing fee is \$350.00, which I must pay in full; and

(a) if my current account balance (line #1 below) is \$350.00 or more, I will not qualify for *in forma pauperis* status and I must pay the full filing fee of \$350.00 before I will be allowed to proceed with the action;

(b) if I do **NOT** have \$350.00 in my account as reflected on line #1 below, before I will be allowed to proceed with an action I will be required to pay 20% of my average monthly balance (line #2 below), or the average monthly deposits to my account (line #3 below), whichever is greater, and thereafter I must pay installments of 20% of the preceding month's deposits to my account in months that my account balance exceeds \$10.00 (if I am in the custody of the NDOC, I hereby authorize the NDOC to make such deductions from deposits to my account, and I further understand that if I have a prison job, then the 20% of my paycheck that is guaranteed to me as spendable money will be sent to the court for payment of the filing fee); and

(c) I must continue to make installment payments until the \$350.00 filing fee is fully paid, without regard to whether my action is closed or my release from confinement.

Type of action (check one): ☐ civil rights

☒ habeas corpus

DELAN PITMAN
INMATE NAME (printed)

DeLash Pittman 58318
SIGNATURE & PRISON NUMBER

1. CURRENT ACCOUNT BALANCE

0

2. AVERAGE MONTHLY BALANCE*

0

3. AVERAGE MONTHLY DEPOSITS*

0

4. FILING FEE (based on #1, #2 or #3, whichever is greater)

0

* for the past six (6) months, from all sources, including amount in any savings account that is in excess of minimum amount that must be maintained

I hereby certify that as of this date, the above financial information is accurate for the above named inmate.

(Please sign in ink in a)
(color other than black.)

2/8/10
DATE

[Signature]
AUTHORIZED OFFICER

AA II
TITLE

Dear Ms Mason
Hi Inmate Services
Ms Mason
I have am proceeding
in ~~the~~ 3 cases and
I need all the
financial certificate
process and return
back to me soon
as possible please
Thank you

Delask Pittman
Delask Pittman
58318 High desert
State Prison
P.O. Box, 650
Indian Spring
Nevada 89070

RCUD IN SER*10FEB 8

58313

Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
INMATE TRUST ACCOUNT ACTIVITY
2009/08/09 THRU 2010/02/08

DATE	TYPE	FUND	DESCRIPTION	DEPOSIT	WITHDRAWAL	BALANCE
2009/08/09		TRUS2	OPENING BALANCE			0.00
2010/02/08		TRUS2	CLOSING BALANCE			0.00
2009/08/09		TRUST	OPENING BALANCE			0.00
2010/02/08		TRUST	CLOSING BALANCE			0.00

2/03/10
13:47:08Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2009/08/09 THRU 2010/02/08

DELASK, PITTMAN 58318

TRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS		
2009/08/09	.00	.00	0		
2009/08/10	.00	.00	0		
2009/08/11	.00	.00	0		
2009/08/12	.00	.00	0		
2009/08/13	.00	.00	0		
2009/08/14	.00	.00	0		
2009/08/15	.00	.00	0		
2009/08/16	.00	.00	0		
2009/08/17	.00	.00	0		
2009/08/18	.00	.00	0		
2009/08/19	.00	.00	0		
2009/08/20	.00	.00	0		
2009/08/21	.00	.00	0		
2009/08/22	.00	.00	0		
2009/08/23	.00	.00	0		
2009/08/24	.00	.00	0		
2009/08/25	.00	.00	0		
2009/08/26	.00	.00	0		
2009/08/27	.00	.00	0		
2009/08/28	.00	.00	0		
2009/08/29	.00	.00	0		
2009/08/30	.00	.00	0		
2009/08/31	.00	.00	0		
2009/09/01	.00	.00	0		
2009/09/02	.00	.00	0		
2009/09/03	.00	.00	0		
2009/09/04	.00	.00	0		
2009/09/05	.00	.00	0		
2009/09/06	.00	.00	0		
2009/09/07	.00	.00	0		
2009/09/08	.00	.00	0		
2009/09/09	.00	.00	0		
2009/09/10	.00	.00	0		
2009/09/11	.00	.00	0		
2009/09/12	.00	.00	0		
2009/09/13	.00	.00	0		

2/08/10
13:47:08Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2009/08/09 THRU 2010/02/08

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DELSK, FITTMAN 58318

TRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2009/09/14	.00	.00	0
2009/09/15	.00	.00	0
2009/09/16	.00	.00	0
2009/09/17	.00	.00	0
2009/09/18	.00	.00	0
2009/09/19	.00	.00	0
2009/09/20	.00	.00	0
2009/09/21	.00	.00	0
2009/09/22	.00	.00	0
2009/09/23	.00	.00	0
2009/09/24	.00	.00	0
2009/09/25	.00	.00	0
2009/09/26	.00	.00	0
2009/09/27	.00	.00	0
2009/09/28	.00	.00	0
2009/09/29	.00	.00	0
2009/09/30	.00	.00	0
2009/10/01	.00	.00	0
2009/10/02	.00	.00	0
2009/10/03	.00	.00	0
2009/10/04	.00	.00	0
2009/10/05	.00	.00	0
2009/10/06	.00	.00	0
2009/10/07	.00	.00	0
2009/10/08	.00	.00	0
2009/10/09	.00	.00	0
2009/10/10	.00	.00	0
2009/10/11	.00	.00	0
2009/10/12	.00	.00	0
2009/10/13	.00	.00	0
2009/10/14	.00	.00	0
2009/10/15	.00	.00	0
2009/10/16	.00	.00	0
2009/10/17	.00	.00	0
2009/10/18	.00	.00	0
2009/10/19	.00	.00	0

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DELSK. PITTMAN 58318

Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2009/08/09 THRU 2010/02/08

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IRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2009/11/25	.00	.00	0
2009/11/26	.00	.00	0
2009/11/27	.00	.00	0
2009/11/28	.00	.00	0
2009/11/29	.00	.00	0
2009/11/30	.00	.00	0
2009/12/01	.00	.00	0
2009/12/02	.00	.00	0
2009/12/03	.00	.00	0
2009/12/04	.00	.00	0
2009/12/05	.00	.00	0
2009/12/06	.00	.00	0
2009/12/07	.00	.00	0
2009/12/08	.00	.00	0
2009/12/09	.00	.00	0
2009/12/10	.00	.00	0
2009/12/11	.00	.00	0
2009/12/12	.00	.00	0
2009/12/13	.00	.00	0
2009/12/14	.00	.00	0
2009/12/15	.00	.00	0
2009/12/16	.00	.00	0
2009/12/17	.00	.00	0
2009/12/18	.00	.00	0
2009/12/19	.00	.00	0
2009/12/20	.00	.00	0
2009/12/21	.00	.00	0
2009/12/22	.00	.00	0
2009/12/23	.00	.00	0
2009/12/24	.00	.00	0
2009/12/25	.00	.00	0
2009/12/26	.00	.00	0
2009/12/27	.00	.00	0
2009/12/28	.00	.00	0
2009/12/29	.00	.00	0
2009/12/30	.00	.00	0

2/08/10
13:47:08Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2009/08/09 THRU 2010/02/08

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DELEASK, FITTMAN

58318

IRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2009/12/31	.00	.00	0
2010/01/01	.00	.00	0
2010/01/02	.00	.00	0
2010/01/03	.00	.00	0
2010/01/04	.00	.00	0
2010/01/05	.00	.00	0
2010/01/06	.00	.00	0
2010/01/07	.00	.00	0
2010/01/08	.00	.00	0
2010/01/09	.00	.00	0
2010/01/10	.00	.00	0
2010/01/11	.00	.00	0
2010/01/12	.00	.00	0
2010/01/13	.00	.00	0
2010/01/14	.00	.00	0
2010/01/15	.00	.00	0
2010/01/16	.00	.00	0
2010/01/17	.00	.00	0
2010/01/18	.00	.00	0
2010/01/19	.00	.00	0
2010/01/20	.00	.00	0
2010/01/21	.00	.00	0
2010/01/22	.00	.00	0
2010/01/23	.00	.00	0
2010/01/24	.00	.00	0
2010/01/25	.00	.00	0
2010/01/26	.00	.00	0
2010/01/27	.00	.00	0
2010/01/28	.00	.00	0
2010/01/29	.00	.00	0
2010/01/30	.00	.00	0
2010/01/31	.00	.00	0
2010/02/01	.00	.00	0
2010/02/02	.00	.00	0
2010/02/03	.00	.00	0
2010/02/04	.00	.00	0

Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2009/08/09 THRU 2010/02/08

2009/08/09 THU 2010/02/08

TRAN DATE	DAILY BALANCE	DAILY DEPOSITS	NUMBER OF DEPOSITS
2010/02/05	.00	.00	0
2010/02/06	.00	.00	0
2010/02/07	.00	.00	0
2010/02/08	.00	.00	0

2/08/10
13:47:087
Nevada Department of Corrections
INMATE FINANCIAL CERTIFICATE
2009/08/09 THRU 2010/02/08

DELASKE, PITTMAN 58318

TOTAL		NUMBER		AVERAGE	
START DATE	END DATE	DAILY BALANCES	OF DAYS	MONTHLY BALANCE	
2009/08/09	2009/09/08	.00	30	.00	
2009/09/09	2009/10/08	.00	30	.00	
2009/10/09	2009/11/08	.00	31	.00	
2009/11/09	2009/12/08	.00	30	.00	
2009/12/09	2010/01/08	.00	31	.00	
2010/01/09	2010/02/08	.00	31	.00	
TOTAL		NUMBER		AVERAGE	
START DATE	END DATE	DEPOSITS	OF DEPOSITS	MONTHLY DEPOSITS	
CURRENT ACCOUNT BALANCE	2010/02/08	.00			
AVERAGE MONTHLY BALANCE		.00			
AVERAGE MONTHLY DEPOSITS		.00			
AVERAGE TOTAL MONTHLY DEPOSIT		.00			